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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,675	10/17/2003	Branislav Mcandzija	15685P210	9337

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ARRAYCOMM/BLAKELY
12400 WILSHIRE BLVD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

ARANI, TAGHI T

ART UNIT	PAPER NUMBER
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2131

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/687,675	Applicant(s) MEANDZIJA ET AL.	
	Examiner Taghi T. Arani	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/24/05, 5/15/05, 12/05/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-22 have been examined and are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

2. Claim 1-4, 6-8, 10-16, 18-20 and 22 are rejected under 35 U.S.C. 102(e) as being substantially anticipated by US 6,823,454 to Hind et al. (hereinafter “Hind”).

As per claim 1, Hind teaches a user terminal capable of communicating with a wireless access network, the user terminal comprising (Fig. 2' and associated text):

a memory to store an identity certificate signed by a certificate authority (Fig. 4 and associated text, col. 12, line 62 through col. 13, line 12, where storing the private key associated with the device certificate in non-removable protected storage attached to the device) to be used by an access point (server device 450) of the wireless access network to authenticate the user terminal (client device 400), the identity certificate being based, at least in part, on hardware included in the user terminal (col. 10, lines 8-25, taught the device certificate using a globally-unique identifier for a particular device, see also, col. 3, lines 58-61)

As per claims 2 and 3, Hind teaches the user terminal of claim 1, wherein the identity certificate includes a serial number of the user terminal wherein the serial number comprises a Media Access Control (MAC) address of the user terminal (col. 11, lines 46-54 and col. 6, lines 29-32, see also Fig. 1B and associated text)..

As per claim 4, Hind teaches the user terminal of claim 1, wherein the identity certificate is factory seeded into the memory of the user terminal (col. 10, lines 8-25, where creating device certificate using globally –unique device identifier for a particular device and storing the private key associated with the device certificate for a device in a non-removable protected storage attached to the physical device are taught)

As per claim 6, Hind teaches a method comprising:

authenticating a user terminal of a wireless access network by an access point of the wireless access network using an identity certificate signed by a certificate authority, the identity certificate being bound to user terminal hardware (col. 10, lines 8-25, taught the device certificate using a globally-unique identifier for a particular device, see also, col. 3, lines 58-61).

As per claims 7 and 8, Hind teaches the method of claim 6, wherein the identity certificate being bound to user terminal hardware comprises the identity certificate including a serial number of the user terminal, wherein the serial number comprises a Media Access Control (MAC) address of the user terminal (col. 11, lines 46-54 and col. 6, lines 29-32, see also Fig. 1B and associated text).

As per claim 10, Hind teaches the method of claim 6, wherein the identity certificate is factory seeded into the user terminal (col. 10, lines 8-25, where creating device certificate using globally –unique device identifier for a particular device and storing the private key associated with the device certificate for a device in a non-removable protected storage attached to the physical device are taught).

As per claim 11, Hind teaches an access point of a wireless access network, the access point comprising:

a receiver to receive an authenticator message from a user terminal capable of communicating with the wireless access network that is requesting access, the authenticator message including an identity certificate of the user terminal signed by a certificate authority (col. 11, lines 1-15, fig. 3 and associated text discloses the format of a representative digital certificate), the identity certificate being bound to user terminal hardware (Fig. 3, the unique device identifier stored in the subject field of the certificate); and

a processor coupled to the receiver to authenticate the user terminal using the identity certificate (col. 11, lines 46-55, where the serial number or other identifier of a radio module stored in a device certificate is used to authenticate the device using public key cryptography).

As per claims 12 and 13, Hind teaches the access point of claim 11, wherein the identity certificate being bound to user terminal hardware comprises the identity certificate including a serial number of the user terminal, wherein the serial number comprises a Media Access Control (MAC) address of the user terminal (col. 11, lines 46-54 and col. 6, lines 29-32, see also Fig. 1B and associated text).

As per claim 14, Hind teaches the access point of claim 11, wherein the identity certificate is factory seeded into the user terminal (col. 10, lines 8-25, where creating device certificate using globally –unique device identifier for a particular device and storing the private key associated with the device certificate for a device in a non-removable protected storage attached to the physical device are taught).

As per claim 15, Hind teaches a digital certificate to be seeded into a user terminal capable of communicating with a wireless access network, the certificate comprising:

a serial number of the user terminal; an identification of a certificate authority that signs the certificate; and a signature of the identified certificate authority (fig. 3 and associated text, col. 11, lines 1-16 discloses the format of a representative digital certificate where the certificate has number of fields including device identifier, the identifier of the creator (issuer), and the a digital certificate of the certificate signature).

As per claim 16, Hind teaches the certificate of claim 15, wherein the serial number comprises a Media Access Control (MAC) address of the user terminal (col. 11, lines 46-54 and col. 6, lines 29-32, see also Fig. 1B and associated text).

Claims 18-20 and 22 are machine-readable medium having instructions stored thereon, when executed by a processor performs the steps of claims 6-8 and 10. Claims 18-20 are rejected for the same reasons provided in the rejections of claims 6-8 and 10 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim claims 5, 9, 17 and 21 rejected under 35 U.S.C. 103(a) as being unpatentable over Hind as applied to claims 1, 6, 15 and 18 above, and further in view of US 2004/0005878 to Olin et al. (hereinafter "Olin").

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Hind does not teach wherein the identity certificate authenticates the user terminal to multiple wireless access networks and/or authenticating the user by an access point of a second wireless access network using the identity certificate.

However, in an analogous art, Olin teaches an access point for mobile devices with wireless communication capacity comprising communication means for establishing communications with at least one or more access points in order to form a network between at least access points (Abstract).

Olin teaches (paragraph 0041) teaches when a user of mobile device wants to connect to an access point, the identity of the user has first to be authenticated and that (paragraphs 0035-0036, Fig 1 and associated text) a mobile device connect to one of the access points with any type of wireless connection and that the mobile device connects to the first access point using wireless LAN. Then, the access point establishes a path to a gateway by tunneling using authorization protocols, such as certificates and digital signatures.

Therefore, it would have been obvious to one of ordinary skill in the art to modify the method and system of Hind with the teachings of Olin to allow authenticating the user of mobile device to multiple access points in order to form a private network and to enable mobile devices to establish connection to a gateway directly from one access point or indirectly through other access points of the access point network (paragraph 0009).

Conclusion

4. Prior arts made of record, not relied upon:

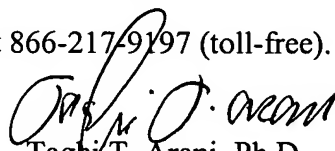
See the enclosed PTO-892.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Taghi T. Arani whose telephone number is (571) 272-3787. The examiner can normally be reached on 8:00-5:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Taghi T. Arani, Ph.D.
Primary Examiner
Art Unit 2131
2/16/2007